IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

Bail Appl..No. 3205 of 2007()

CMP.1162/2007 of JUDL. MAGISTRATE OF FIRST CLASS, KOTHAMANGALAM
C.R.NO.28/07 OF KOTHAMANGALAM EXCISE RANGE

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PETITIONER :

SREEDHARAN,S/O.NARAYANAN,ANICATTUKUDY HOUSE,ERAMALLOOR KARA,ERAMALLOOR VILLAGE, KOTHAMANGALAM TALUK

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS:

STATE OF KERALA REP.BY THE EXCISE INSPECTOR,KOTHAMANGALAM REP.BY THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3205 OF 2007 A

Dated this the 31st day of May, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in C.R. No.28/2007 of Kothamangalam Excise Range for offences punishable under Secs.55(a) and 55(i) of the Abkari Act, for having been found in possession of 1.820 litres of IMFL, seeks his enlargement on bail. Petitioner was arrested on 16.5.07.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the grounds enumerated under Sec. 41A(b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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